

DECLARATION OF WELL CONTROL ZONE (aka WELL ISOLATION ZONE)

THIS DECLARATION made on this _____ day of _____, 200____, by _____, hereinafter referred to as DECLARANT.

W I T N E S S E T H ;

WHEREAS, the DECLARANT is the owner of the privately owned tracts of real property situated within the 100-foot radius described on the hereto attached Exhibit A (this should be a meets and bounds description), and

WHEREAS, a well will be drilled upon the real property of _____, situated in the center of the 100-foot radius describe on Exhibit A, hereto attached, and

WHEREAS, the DECLARANT, in order to protect the quality and purity of water from said well, are willing to impose certain restrictions upon the said area to run with the real property and to be binding on all parties having or acquiring any right, title, or interest in and to the said area, NOW THEREFORE,

DECLARANT hereby declares that all of the property within a 100-foot radius of the well, hereinafter referred to as the WELL CONTROL ZONE, shall be held, sold, and conveyed SUBJECT to the following restrictions:

- No septic system, wastewater disposal system, sewer lines, holding tanks, sewage lift station, French drain, or class V injection well, and any structure used to convey or retain industrial, storm or sanitary waste shall be located within the WELL CONTROL ZONE.
- No hazardous substances as defined by 75-10-602 MCA, gasoline, liquid fuels, petroleum products, or solvents shall be stored within the WELL CONTROL ZONE.
- No stormwater injection well, grass infiltration swale, or other stormwater disposal mechanism shall be located within the WELL CONTROL ZONE.
- No livestock shall be confined, fed, watered, or maintained within the WELL CONTROL ZONE.
- No private well shall be constructed within the WELL CONTROL ZONE.
- Activities, which may threaten the quality of water in the WELL CONTROL ZONE, are prohibited.
- Maintenance of land shall be accomplished only by mechanical means.

These restrictions shall terminate and be of no further force and effect in the event the aforementioned well is discontinued as a source of water and abandoned in accordance with the laws and regulations of the Montana Department of Natural Resources and Conservation.

STATE OF MONTANA

County of

On this _____ day of _____, 200____, before me, the undersigned, a Notary Public of the state of Montana, personally appeared _____ known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

NOTARY PUBLIC for the state of Montana
Residing at
My Commission expires: